

GAU-2152  
PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1133)

IN EX PARTE APPLICATION OF:

Fijolek et al.

Serial No. 09/722,980

Filed: November 27, 2000

Title System And Method For Automatic  
Load Balancing In A Data-Over-Cable  
System

Examiner: To be Assigned

Group Art Unit: 2152

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Technology Center 2100

TRANSMITTAL LETTER

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria Virginia 22313-1450

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Third Supplemental Information Disclosure Statement;
- b. Third Supplemental Form PTO-1449;
- c. Copy of IDS Citations 09/722,980 (54 references);
- d. Return Receipt Postcard.

2. With respect to additional fees:

☒ No additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on this 17<sup>th</sup> day of April, 2003.

Respectfully submitted,

Bradley J. Hulbert  
Registration No. 30,130

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive, 32nd Floor  
Chicago, IL 60606  
(312)913-0001



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#9

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**THIRD SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT LETTER**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

## CITED REFERENCES

### U.S. Patent Documents

Document Number	Date	Name
6,272,150	08-07-01	Hrastar
6,216,171	04-10-01	Isono et al.
6,208,656	03-27-01	Hrastar et al.
6,178,455	01-23-01	Schutte et al.
6,128,298	10-03-00	Wootton et al.
6,061,349	05-09-00	Coile et al.
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5,987,524	11-16-99	Yoshida et al.
5,894,479	04-13-99	Mohammed
5,708,654	01-13-98	Arndt et al.
6,070,187	05-30-00	Subramaniam et al.
5,678,041	10-14-97	Baker et al.
5,848,233	12-08-98	Radia et al.
5,892,754	04-06-99	Kompella et al.
6,331,987	12-18-01	Beser
6,337,858	01-08-02	Petty et al.
6,046,979	04-04-00	Bauman
5,926,458	07-20-99	Yin
6,332,163	12-18-01	Bowman-Amuah
6,308,328	10-23-01	Bowcutt et al.
6,301,618	10-09-01	Sitaraman et al.
6,301,223	10-09-01	Hrastar et al.
6,370,147	04-09-02	Beser
6,351,773	02-26-02	Fijolek et al.
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6,032,019	02-29-00	Chen et al.
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Document Number	Date	Name
6,510,162	01-21-03	Fijolek et al.
5,929,850	07-27-99	Broadwin et al.
5,528,595	06-18-96	Walsh et al.
5,960,177	09-28-99	Tanno
5,941,988	08-24-99	Bhagwat et al.
6,289,377	09-11-01	Lalwaney et al.
5,784,597	07-21-98	Chiu et al.
6,243,369	06-05-01	Grimwood et al.
6,453,472	09-17-02	Leano et al.
6,490,727	12-03-02	Nazarathy et al.
6,449,291	09-10-02	Burns et al.
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#### **U.S. PUBLISEHD PATENT APPLICATIONS**

US 2003/0028891 A1	02-06-03	Hardt et al.
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US 2002/0122050 A1	09-05-02	Sandberg

#### **FOREIGN PATENT DOCUMENTS**

WO 00/67385	11-09-00	PCT
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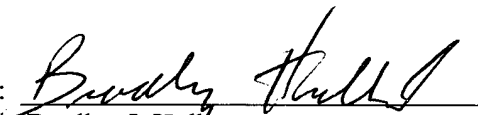
#### **OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).**

1. "Radio Frequency Interface Specification (Interim Specification) SP-RFI-I04-980724", MCNS Holdings, L.P., 1997, Pgs. ii to 196.
2. Droms, R., *Dynamic Host Configuration Protocol*, Request for Comments 1541, October 1993, Pages 1 to 31.
3. RFC 791, *Internet Protocol, DARPA Internet Program Protocol Specification*, September 1981, Pgs. 1-37.
4. Postel, J., *Internet Protocol, DARPA Internet Program Protocol Specification*, RFC 792, September 1981, Pgs. 1-14.

5. Postel, J., *User Datagram Protocol*, RFC 768, August 28, 1980, Pgs. 1-3.
6. RFC 793, *Transmission Control Protocol, DARPA Internet Program Protocol Specification*, September 1981, Pgs. 1-61.
7. Case, J. et al., *A Simple Network Management Protocol (SNMP)*, RFC 1157, May 1990, Pgs. 1-26.
8. Sollins, K., *The TFTP Protocol (Revision 2)*, RFC 1350, July 1992, Pgs. 1-9.
9. Alexander, S., *DHCP Options and BOOTP Vendor Extensions*, RFC 2132, March 1997, Pgs. 1-27.
10. "Radio Frequency Interface Specification (Interim Specification) SP-RFiv1.1-103-991105", MCNS Holdings, L.P., 1999, Pgs. Ii to 366.

Respectfully submitted,

Date: April 17, 2003

By:   
Bradley J. Hulbert  
Registration No. 30,130

FORM PTO-1449  
(Rev. 2-32)

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

00-1133

Serial No.

09/722,980

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

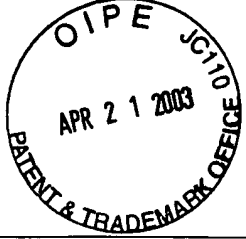
John G. Fijolek et al.

Filing Date:

November 27, 2000

Group:

2155



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Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	6,272,150	08-07-01	Hrastar	370	486	05-05-97
	2.	6,216,171	04-10-01	Isono et al.	709	250	02-11-98
	3.	6,208,656	03-27-01	Hrastar et al.	370	401	04-11-97
	4.	6,178,455	01-23-01	Schutte et al.	709	228	04-11-97
	5.	6,128,298	10-03-00	Wootton et al.	370	392	10-03-00
	6.	6,061,349	05-09-00	Coile et al.	370	389	05-02-97
	7.	5,999,536	12-07-99	Kawafuji et al.	370	401	11-24-97
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	9.	5,894,479	04-13-99	Mohammed	370	401	12-10-96
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	11.	6,070,187	05-30-00	Subramaniam et al.	709	220	03-26-98
	12.	5,678,041	10-14-97	Baker et al.	395	609	08-25-95
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	16.	6,337,858	01-08-02	Petty et al.	370	356	10-10-97
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	24.	6,351,773	02-26-02	Fijolek et al.	709	228	12-21-98
	25.	5,815,664	09-29-98	Asano	395	200.57	03-19-96
	26.	6,032,019	02-29-00	Chen et al.	455	5.1	01-20-99
	27.	6,442,158	08-27-02	Beser	370	352	05-27-98
	28.	6,510,162	01-21-03	Fijolek et al.	370	432	05-27-98
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	31.	5,960,177	09-28-99	Tanno	395	200.59	03-12-96
	32.	5,941,988	08-24-99	Bhagwat et al.	713	201	01-27-97
	33.	6,289,377	09-11-01	Lalwaney et al.	709	222	10-27-98
	34.	5,784,597	07-21-98	Chiu et al.	395	552	09-22-95
	35.	6,243,369	06-05-01	Grimwood et al.	370	335	05-06-98
	36.	6,453,472	09-17-02	Leano et al.	725	111	06-02-99
	37.	6,490,727	12-03-02	Nazarathy et al.	725	129	10-07-99
	38.	6,449,291	09-10-02	Burns et al.	370	516	11-24-98
	39.	6,393,478	05-21-02	Bahlmann	709	224	02-22-99
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	41.	US 2003/0028891 A1	02-06-03	Hardt et al.	725	107	08-03-01
	42.	US 2002/0136165 A1	09-26-02	Ady et al.	370	241	03-23-01
	43.	US 2002/0122050 A1	09-05-02	Sandberg	345	705	12-30-00

## FOREIGN PATENT DOCUMENTS

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	44.	WO 00/67385	11-09-00	PCT			

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	45.	"Radio Frequency Interface Specification (Interim Specification) SP-RFI-I04-980724", MCNS Holdings, L.P., 1997, Pgs. ii to 196.
	46.	Droms, R., <i>Dynamic Host Configuration Protocol</i> , Request for Comments 1541, October 1993, Pages 1 to 31.
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	51.	Case, J. et al., <i>A Simple Network Management Protocol (SNMP)</i> , RFC 1157, May 1990, Pgs. 1-26.
	52.	Sollins, K., <i>The TFTP Protocol (Revision 2)</i> , RFC 1350, July 1992, Pgs. 1-9.
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	54.	"Radio Frequency Interface Specification (Interim Specification) SP-RFIv1.1-103-991105", MCNS Holdings, L.P., 1999, Pgs. li to 366.
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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